

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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TRACY ROBERTS,

Plaintiff,

v.

ORDER

TARGET CORPORATION,

23-CV-04662 (PMH)

Defendant.

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PHILIP M. HALPERN, United States District Judge:

On February 8, 2024, the Court directed Target Corporation to show cause in writing on or before February 15, 2024, why the severed third-party action should not be dismissed for failure to obtain the Court's leave pursuant to Federal Rule of Civil Procedure 14(a)(1) and paragraph 3 of the Civil Case Discovery Plan and Scheduling Order. (Doc. 29). Ferrandino and Son, Inc. filed a letter setting forth its position that the third-party action should be dismissed (Doc. 31); Target Corporation did not file any response to the Order to Show Cause.

In light of Target Corporation's failure to obtain the Court's leave to file the third-party action, and its failure to file any response to the Order to Show Cause, the third-party complaint (Doc. 16) is hereby DISMISSED.

The Court will separately docket the parties' Notice, Consent, and Reference of a Civil Action to a Magistrate Judge.

SO-ORDERED:

Dated: White Plains, New York
February 16, 2024



Philip M. Halpern
United States District Judge